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NO. 9461 P. 2

JUN 27 2005

Doc Code:

PTO/SB/64 (09-04)

Approved for use through 07/31/2006. CMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

PI3846US2

First named inventor: Orlandi et al.

Application No.: 10/775,709

Art Unit: 1626

Filed: February 10, 2004

Examiner: J. Coppins

Title: Heterocyclic Derivatives

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JUN 29 2005

Attention: Office of Petitions  
Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
FAX: (703) 872-9306NOTE: If information or assistance is needed in completing this form, please contact Petitions  
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus any extensions of time actually obtained:

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

**1. Petition fee**

- ☐ Small entity-fee \$ \_\_\_\_\_ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity - fee \$ 1,330 (37 CFR 1.17(m))

**2. Reply and/or fee**

A. The reply and/or fee to the above-noted Office action in  
the form of \_\_\_\_\_ (identify type of reply):

- ☐ has been filed previously on \_\_\_\_\_
- ☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ 1,700

- ☐ has been paid previously on \_\_\_\_\_
- ☒ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending on the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

06/29/2005 LWDNDI1 0000093 071392 10775709

01 FC:103 1500.00 DA

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JUN 27 2005

NO. 9461 P. 3

Doc Code:

PTO/SB/64 (09-04)

Approved for use 07/31/2006. OMB 0651-0031

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3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**



Signature

June 27, 2005

Date

Lorie Ann Morgan

Typed or printed name

38,181

Registration Number, if applicable

919-483-8222

Telephone Number

Address

Address

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☒ Other: The Director is hereby authorized by charge required fee(s)  
or credit any overpayment to Deposit Account 07-1392

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

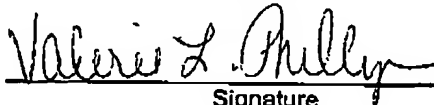
I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

June 27, 2005

Date



Signature

Valerie L. Phillips

Type or printed name of person signing certificate

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**FAX**



GlaxoSmithKline

To Office of Petitions

Company USPTO

Fax (703) 872-9306

From Valerie L. Phillips

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Fax 919-483-5730

E-mail [valerie.l.phillips@gsk.com](mailto:valerie.l.phillips@gsk.com)

Date June 27, 2005

Pages Including cover 5

Subject Petition for Revival of an Application for Patent  
Abandoned Unintentionally Under 37 CFR 1.137(b)

Glaxo Wellcome Inc.  
PO Box 13398  
Five Moore Drive  
Research Triangle Park  
North Carolina 27709

Tel: 919 483 2100  
[www.gsk.com](http://www.gsk.com)

Serial No.: 10/775,709  
Date: February 10, 2004  
Applicant: Doughty et al.  
Title: Heterocyclic Derivatives


Attached:

Certificate of Transmission by Facsimile

Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b)  
Part B – Fee(s) Transmittal

**Certificate of Transmission by Facsimile (37 CFR 1.8)**

I hereby certify that this Response to Office Action is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. 703-872-9306) on June 27, 2005

  
Valerie L. Phillips

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